

**REMARKS/ARGUMENTS**

This amendment responds to the Office Action dated February 18, 2009 in which the Examiner rejected claims 13-24 under 35 U.S.C. § 103.

As indicated above, claims 13 and 19 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability.

Claim 13 claims a recording/reproducing apparatus and claim 19 claims a recording/reproducing method. The apparatus and method simultaneously record video or audio into a recording medium and reproduce the video or audio from the recording medium. The method and apparatus comprise recording video or audio signals and identifying signals, indicating non-user generated content of the audio or video signals, into a recording medium. A title list of only not yet reproduced videos or audios recorded in the recording medium is generated using the identifying signals to arrange the title list. One or more videos or audios in the list is reproduced. Upon user selection of an introduction playback mode, part of each not yet reproduced video or audio in the title list is automatically sequentially reproduced.

By (a) generating a title list of only not yet reproduced videos or audios recorded, (b) arranging the title list using the identifying signals of non-user generated content and (c) automatically sequentially reproducing part of each not yet reproduced video or audio in the title list of videos or audios, as claimed in claims 13 and 19, the claimed invention provides a recording/reproducing apparatus or method, allows a user to easily find a program that has not yet been replayed. The prior art does not show, teach or suggest the invention as claimed in claims 13 and 19.

Claims 13-24 were rejected under 35 U.S.C. § 103 as being unpatentable over *Tsumagari, et al.* (U.S. Patent No. 6,480,669) in view of *Boreczky, et al.* (U.S. Patent No. 6,366,296) and *Browne, et al.* (WO 92/22983).

*Tsumagari, et al.* appears to disclose in Figure 27 a user setting entry points at arbitrary positions of a program for playback (column 21, lines 12-24). However, as claimed in claims 13 and 19, the identifying signals indicate non-user generated content. However, the entry points in *Tsumagari, et al.* are generated by a user selecting entry points. Thus, *Tsumagari, et al.* teaches away from the claimed invention since the entry points in *Tsumagari, et al.* are user generated whereas as claimed in claims 13 and 19, the identifying signals are non-user generated.

Additionally, *Tsumagari, et al.* merely discloses in Figure 17 the data structure of a user defined PGC information table. Nothing in *Tsumagari, et al.* shows, teaches or suggests generating a title list of only not yet reproduced videos or audios as claimed in claims 13 and 19. Rather, Figure 17 of *Tsumagari, et al.* discloses a user defined sequence.

Furthermore, *Tsumagari, et al.* only discloses a user sets a numerical value of a parameter at which designates the entry point entry interval in units of minutes (column 29, lines 26-30). Nothing in *Tsumagari, et al.* shows, teaches or suggests generating a title list of only not yet reproduced video/audios using an identifying signal to arrange the title list as claimed in claims 13 and 19. Rather, *Tsumagari, et al.* only discloses a user setting a numerical value of a parameter to designate an entry point.

Also, since *Tsumagari, et al.* only discloses a user selected entry point, nothing in *Tsumagari, et al.* shows, teaches or suggests reproducing part of each not yet reproduced video/audio in a title list automatically and sequentially upon user selection of an introduction

playback mode as claimed in claims 13 and 19. Rather, *Tsumagari, et al.* only discloses reproduction based upon user defined entry points.

*Boreczky, et al.* appears to disclose identifying areas of interest in a media file by graphically identifying areas where a particular speaker is shown in a video clip which allows a user to quickly determine and playback those portions that contain the speaker (column 1, lines 60-67). Existing methods can be used for automatically identifying features in a media file to generate and provide feature information to a user to aid the user in browsing the media file (column 2, lines 5-7). Media browsing functions such as play, rewind, stop, fast-forward, index, automatic slide show and automatic preview are controlled based on feature information (column 2, lines 13-16). A user can select a feature in a media file using a media feature selection 4 (column 4, lines 60-61).

Thus, *Boreczky, et al.* merely discloses a user selecting a feature in order to browse a media file (column 4, lines 60-61). Nothing in *Boreczky, et al.* shows, teaches or suggests (a) using an identifying signal which is non-user generated to arrange a title list of only not yet reproduced video/audios and (b) automatically sequentially reproducing part of each not yet reproduced video/audio in a title list arranged by non-user generated identifying signals as claimed in claims 13 and 19. Rather, *Boreczky, et al.* teaches that the feature information is selected by a user and is used to browse a media file.

*Browne, et al.* appears to disclose a stored program list screen 600 shown in Figure 6 includes a list of all stored programs. The stored program list may also indicate whether the listed program has been recorded or has previously been viewed (page 24, line 25 through page 25, line 1).

Thus, *Browne, et al.* only discloses listing all stored programs. Nothing in *Browne, et al.* shows, teaches or suggests generating a title list of only not yet reproduced videos using identifying signals to arrange the title list as claimed in claims 13 and 19. Rather, the title list generated in *Browne, et al.* is for all videos and not for only not yet reproduced video/audio.

The combination of *Tsumagari, et al.*, *Boreczky, et al.* and *Browne, et al.* would merely suggest to generate a title list using user defined entry points as taught by *Tsumagari, et al.*, to have a user additionally identified features to browse the file as taught by *Boreczky, et al.* and to list all files as taught by *Browne, et al.* Thus, nothing in the combination of the references shows, teaches or suggests (a) generating a title list of only not yet reproduced video/audios, (b) arranging the title list of not yet reproduced audio using non-user generated content in identifying signals and (c) automatically sequentially reproducing part of each not yet reproduced audio/video in the title list upon user selection of an introduction playback mode as claimed in claims 13 and 19. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 13 and 19 under 35 U.S.C. § 103.

Claims 14-18 and 20-24 depend from claims 13 and 19 and recite additional features. Applicants respectfully submit that claims 14-18 and 20-24 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Tsumagari, et al.*, *Boreczky, et al.* and *Browne, et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 14-18 and 20-24 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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